IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: William M. Cullen and David A. Chappell

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TITLE: Message Handling

EXAMINER: Dhairya A. Patel

GROUP ART UNIT: 2151

ATTY. DKT. NO.: 23982-10313

CERTIFICATE OF EFS-WEB TRANSMISSION			
Pursuant to 240 OG 45 and the *Legal Framework For EFS-Web*, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacific Time Zone of the United States on the local date shown below.			
Signature:	/Greg T. Sueoka/		
Typed or Printed Name:	Greg T. Sueoka, Reg. 33,800	Dated:	October 12, 2009

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Response to Notice of Non Compliant Appeal Brief

The amendment to Appeal Brief is in response to the Notice of Non Compliant Appeal Brief dated September 30, 2009, which set a statutory period for response that expires on October 30, 2009. As requested in the notice, the amendment includes only the amended sections and not the entire brief.

Status of Claims

Claims 1 and 3-31 are pending in this Application and stand rejected. Claim 2 is cancelled and therefore is not pending. On April 29, 2009, the appellants appealed from the

final rejection of claims 1 and 3-31. These claims are set forth in an appendix attached hereto.

Summary of Claimed Subject Matter

Please replace the existing summary of the claimed subject matter with the following:

Claim 1 recites a method of handling a message received at a messaging system server (Pg. 4, ln. 23-25), the method comprising: storing, in non-persistent storage, the message (Pg. 2, ln.10-15, Pg. 5, ln. 5-23, Fig. 2-4); determining whether the message has been delivered (Pg. 2, ln.10-15, Pg. 5, ln. 15-23); if the message has been delivered, removing the message from the non-persistent storage (Pg. 5, ln. 5-23, Pg. 7, ln. 4-15, Fig. 5); and after a configurable delay interval has elapsed and if the message has not been removed from the non-persistent storage, saving the message to persistent storage so that the message can be retrieved and delivered (Pg. 5, ln.5-23, Pg. 9, ln.7-14, Fig. 8).

Claim 13 recites a method of handling guaranteed messages received at a message-oriented middleware server over a network (Pg. 4, ln. 23-25), the method comprising: storing, in a log queue in non-persistent storage, guaranteed messages received from at least one client as the guaranteed messages are received (Pg. 2, ln. 10-15, Pg. 5, ln.5-23, Fig. 2-4); determining whether one of the guaranteed messages has been delivered (Pg. 2, ln. 10-15, Pg. 5, ln. 15-23); if the guaranteed message has been delivered, removing the message from the non-persistent storage (Pg. 5, ln. 5-23, Pg. 7, ln. 4-15, Fig. 5); dynamically determining a delay time period (Pg. 9, ln.7-14); after the determined delay period has elapsed and if the message has not been removed from the non-persistent storage, saving the guaranteed message to persistent storage so that the guaranteed message can be retrieved and delivered

(Pg. 5, ln. 5-23, Pg. 9, ln.7-14, Fig. 8); and transmitting a guarantee acknowledgement message to a client that sent the received guaranteed message, the guarantee acknowledgement message indicating that the received guaranteed message will not be lost by the server (Pg. 7, ln. 20-25).

Claim 16 recites a computer program product, disposed on a computer readable medium, for handling messages received at a server (Pg. 4, ln 23-25, Pg. 12, ln. 10 to Pg. 13, ln. 5), the computer program including instructions for causing a server processor to: store, in a non-persistent storage, messages received from at least one client as the messages are received (Pg. 2, ln. 10-15, Pg. 5, ln. 5-23, Fig. 2-4); determine whether one of the messages has been delivered (Pg. 2, ln. 10-15, Pg. 5, ln. 15-23); if the message has been delivered, remove the message from the non-persistent storage (Pg. 5, ln. 5-23, Pg. 7, ln. 4-15, Fig. 5); and after a configurable delay period has elapsed and if the message has not been removed from the non-persistent storage, save the message to persistent storage so that the message can be retrieved and delivered (Pg. 5, ln. 5-23, Pg. 9, ln.7-14, Fig. 8).

Claim 24 recites a message oriented middleware server, the server comprising: non-persistent storage; persistent storage; at least one processor; and instructions for causing the server processor to (Pg. 4, ln. 23-25, Pg. 12, ln. 10 to Pg. 13, ln. 5): store, in the non-persistent storage, messages received from at least one client as the messages are received (Pg. 2, ln.10-15, Pg. 5, ln. 5-23, Fig. 2-4); determine whether one of the messages has been delivered (Pg. 2, ln. 10-15, Pg. 5, ln. 15-23); if the message has been delivered, remove the message from the non-persistent storage (Pg. 5, ln. 5-23, Pg. 7, ln. 4-15, Fig. 5); and after a configurable delay period has elapsed and if the message has not been removed from the

non-persistent storage, save the message to persistent storage so that the message can be retrieved and delivered (Pg. 5, ln. 5-23, Pg. 9, ln.7-14, Fig. 8).

Conclusion

The Applicants have amended the Appeal Brief to comply with the notice of non-compliant appeal brief. The Applicants respectfully invite the Patent Appeal Specialist to contact the Applicants' representative at the number provided below if the Patent Appeal Specialist believes it will help expedite furtherance of this application.

Respectfully submitted,
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Dated: October 12, 2009   /Greg T. Sueoka/

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